

IN THE CLAIMS

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~striketrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please AMEND claims in accordance with the following:

1. (CURRENTLY AMENDED) A method for conducting a purchasing agreement for goods and services between a consumer and a merchant through a trusted a third party and using a wireless network comprising:

generating, by the consumer, a first consumer view of the purchasing agreement and transmitting the first consumer view of the purchasing agreement to the third party;

generating, independently by the merchant, a second merchant view of the agreement and transmitting the second merchant view of the agreement to the third party; and

receiving, by the third party, comprising a Secure Transaction Server, the consumer view of the purchasing agreement and the merchant view of the purchasing agreement;

verifying, by the third party STS, identities of the merchant and the consumer, based upon the consumer and merchant views of the purchasing agreement; ~~and that the~~

verifying, by the third party STS, the purchasing agreement by verifying details of the independently generated consumer and merchant views of the agreements of the purchasing agreement are consistent with each other; and

taking action, by the third party STS, to execute the purchasing agreement if the conditions are satisfied based upon the verified purchasing agreement.

2. (CURRENTLY AMENDED) The method of claim 1, wherein the purchasing agreement includes ~~the ordering of and paying for goods or services~~ a good and/or a service as a purchase.

3. (CURRENTLY AMENDED) The method of claim 2, further comprising:
conducting ~~purchases~~ the purchase using a local wireless communication network between a consumer ~~operated~~ mobile device and a merchant ~~operated~~ device; ~~and a Secure~~

~~transaction Server device, comprising the trusted third party, and~~
encrypting parts of the messages consumer and merchant views communicated between
~~the devices and the secure transaction server are encrypted among the consumer mobile device,~~
the merchant device, and the third party STS using the a Secure Transaction Protocol.

4. (CURRENTLY AMENDED) The method as in claim 3, wherein the ~~trusted third party~~ STS returns a token as receipt of payment that is presented by the consumer to the merchant to obtain the ~~paid for services at~~ purchase at a later time

5. (CURRENTLY AMENDED) The method as in claim 4 for ~~at the~~ consumer to conduct ~~at the purchase transaction with at the~~ merchant using ~~at the~~ consumer operated mobile device in wireless local communication with ~~at the~~ merchant device, comprising:

discovering, by the consumer mobile device, the merchant device via the wireless local communication network;

connecting, by the consumer mobile device, to the merchant device via the wireless local communication network;

selecting, by the consumer using the consumer mobile device, the ~~goods and services~~ good and/or the service to be purchased;

obtaining a purchase order from the merchant containing ~~the transaction details detail~~ information of the purchases such as amount; and

authorizing by the consumer using the consumer mobile device, payment to the merchant for the ~~goods and services~~ good and/or the service through the ~~secure transaction server~~ third party STS.

6. (CURRENTLY AMENDED) The method of claim 5, wherein the discovering ~~comprising~~ comprises automatically scanning the wireless network or manually discovering one or more merchant devices and the consumer then selecting one of the merchant devices from a list of the discovered merchant devices presented by the consumer mobile device.

7. (CURRENTLY AMENDED) The method of claim 6, wherein the connecting ~~comprising~~ comprises connecting the consumer mobile device to the selected merchant device through the wireless local communication network.

8. (CURRENTLY AMENDED) The method of claim 7, wherein the selecting comprising ~~selecting one of the goods or services by the consumer~~ the good or service from a list of the goods and/or services of the merchant presented by the consumer mobile device.

9. (CURRENTLY AMENDED) The method of claim 8, further comprising:
transmitting by the consumer mobile device a request for ~~a~~ the purchase order for ~~items to be purchased~~ the purchase to the merchant device;
preparing by the merchant device ~~a~~ the purchase order with the purchase detail information including pricing and transmitting the purchase order to the consumer device; and
upon receiving the purchase order by the consumer device, authorizing by the consumer mobile device a payment for the purchase order,
wherein the first consumer view and the second merchant view are generated based upon the purchase order.

10. (CURRENTLY AMENDED) The method of claim 9, further comprising ~~verifying~~ requesting, by the consumer mobile device, verification of the merchant device by the third party STS ~~secure transaction server~~ before the transmitting of the purchase order is ~~transmitted to the consumer device~~ request to the merchant device.

11. (CURRENTLY AMENDED) The method of claim 10, further comprising ~~verifying~~ requesting, by the consumer mobile device, verification of the merchant device by the third party STS ~~secure transaction server~~ after the merchant device transmits the purchase order ~~is transmitted to the consumer device~~.

12. (CURRENTLY AMENDED) The method of claim 11, further comprising:
indicating, by the consumer, intent to ~~proceed with~~ authorize payment for the purchase order via a command entered into the consumer mobile device;
upon receiving the command and a positive result of the merchant verification ~~by~~ from the ~~secure transaction server~~ third party STS, the consumer mobile device indicating the intent to authorize payment ~~and by~~ transmitting the intent to the ~~secure transaction server~~ third party STS via the merchant device; and
~~upon receiving a positive result of the verification by the secure transaction server, the merchant indicating, by the merchant device, the intent to authorize acceptance of~~ the payment

and transmitting the consumer intent and the merchant intent to the ~~secure transaction server~~third party STS.

13. (CURRENTLY AMENDED) The method of claim 12, further comprising:
upon receiving, by the third party STS, the payment authorization ~~for payment~~ from the consumer mobile device and the payment acceptance authorization ~~for acceptance~~ from the merchant device, interacting by the third party STS~~secure transaction server~~ with a payment service to cause ~~the transfer of funds or commitment for transfer of funds from the consumer to the merchant to occur~~; and
upon completion of the transfer of funds, transmitting by the ~~secure transaction server~~third party STS, a confirmation to the consumer and the merchant.

14. (CURRENTLY AMENDED) The method of claim 13 wherein ~~the purchase is for services (and certain goods) and the Secure Transaction Server~~the third party STS causes a consumer token to be sent to the consumer ~~and~~by the merchant as a proof of the payment and ~~that can be presented by the consumer when the service is activated or consumed, or goods~~the good is received.

15. (CURRENTLY AMENDED) The method of claim 13 wherein the ~~transaction comprises the purchase of~~ good is a physical good~~goods~~.

16. (CURRENTLY AMENDED) The method of claim ~~43~~6, wherein the ~~discovery comprising~~discovering comprises:
obtaining by the consumer mobile device a list of available merchants and contact information to be displayed on ~~his~~the mobile device; and
selecting ~~from the consumer's device the~~ a merchant for ~~which a~~the purchase transaction is desired, based upon the displayed list of available merchants.

17. (CURRENTLY AMENDED) The method of claim ~~43~~16, wherein the connecting ~~comprising~~comprises:
directing by the consumer the consumer mobile device to establish a wireless communication using the contact information of the selected merchant; and
accessing by the consumer mobile device ~~the~~a retail application of the merchant device.

18. (CURRENTLY AMENDED) The method of claim ~~13~~ wherein the 17, further comprising:

~~selecting goods and services comprising providing inputs~~ the good and/or the service by inputting to the retail application ~~through the consumer device to arrive at the an~~ intended list of ~~purchased goods and/or services for the purchase~~ from the selected merchant, through ordering or other physical means provided by the merchant including scanning,

providing, by the merchant through the retail application, ~~the an~~ accumulated purchase price of the selected goods ~~and and/or~~ services.

19. (CURRENTLY AMENDED) The method of claim ~~45~~ 9, wherein the directing of payment further comprising:

~~optionally verifying~~ requesting, by the consumer mobile device, verification of the merchant with by the third party STS ~~Secure Transaction Server (STS)~~,

acquiring, by the consumer mobile device, the purchase order from the merchant device,

~~optionally verifying, by the consumer, the merchant with the STS,~~

providing, by the consumer, consumer private personal identification information entry (consumer PIE) to the consumer mobile device, ~~and~~

requesting, by the consumer mobile device, a consumer request-transaction preauthorization by identification information sending a request-transaction (preauthorization) to from the third party STS, based upon the purchase order and the consumer PIE,

providing, by the merchant, merchant private personal identification information entry (merchant PIE) to the merchant device, ~~and~~

sending, by the merchant device, a merchant request-transaction to the third party STS, based upon the purchase order and the merchant PIE,

responding, by the third party STS, positively to the consumer mobile device and to the merchant device, ~~if the identities and details of the consumer request-transaction preauthorization and merchant request transaction transaction~~ are verified, and including a listing of accounts ~~to for~~ the consumer mobile device,

authorizing, by the consumer mobile device, the payment to the third party STS including a consumer account selection, ~~by an sending a consumer payment authorization message,~~

authorizing, by the merchant device, the sale purchase to the third party STS including a merchant account selection, ~~by an sending a merchant authorization message,~~

causing, by the third party STS, the payment from the selected consumer account to the selected merchant account, ~~if the parties and details of the payment transaction~~ consumer payment authorization and the merchant purchase authorization are verified,
responding, by the third party STS, to the merchant and the consumer with ~~the results of the payment transaction.~~

20. (CURRENTLY AMENDED) The method as in claim 19 ~~where~~ wherein the consumer combines the ~~request (preauthorization)~~ consumer request-transaction preauthorization and the consumer payment authorization as follows ~~by~~:

~~providing, by the consumer, personal identification information to the consumer device and issuing, by the consumer mobile device,~~ a consumer payment request-authorization of the payment to the third party STS including the consumer account selection, based upon the purchase order and the consumer PIE,

~~providing, by the merchant, personal identification information to their device and issuing a request-authorization of the sale to the STS including account selection,~~

causing, by the third party STS, the payment from the consumer account to the merchant account, ~~if the parties and details of the~~ consumer payment transaction authorization and the merchant purchase authorization are verified,

~~responding, by the STS, to the merchant and the client with the results of the payment transaction.~~

21. (CURRENTLY AMENDED) The method as in claim 14 ~~wherein the direction of payment~~ further comprising:

~~optionally verifying~~ requesting, by the consumer mobile device, verification of the merchant with ~~by the third party STS,~~

acquiring, by the consumer mobile device, the purchase order from the merchant device,

~~optionally verifying, by the consumer, the merchant with the STS,~~

providing, by the consumer, consumer private ~~personal identification information~~ entry (consumer PIE) to the consumer mobile device, and

sending, ~~by the consumer mobile device,~~ a consumer request-transaction (preauthorization) ~~to the STS~~ preauthorization to the third party STS, based upon the purchase order and the consumer PIE,

providing, by the merchant, merchant ~~personal identification information~~ private

identification entry (merchant PIE) to the merchant device, and

sending, by the merchant device, a merchant request-transaction to the third party STS,
based upon the purchase order and the merchant PIE,

responding, by the third party STS, to the preauthorization request transactions positively
to the consumer mobile device and to the merchant device, if the identities and details of the
consumer request-transaction preauthorization and merchant request transaction are verified,
and including a listing of accounts to for the consumer mobile device,

sending, by the consumer mobile device, sending an authorization for the consumer
payment authorization to the third party STS including a consumer account selection from the
listing of consumer accounts,

authorizing sending, by the merchant device, the sale a merchant purchase authorization
to the third party STS including a merchant account selection,

causing, by the third party STS, the payment from the selected consumer account to the
selected merchant account, if the parties and details of the payment transaction consumer
payment authorization and the merchant purchase authorization are verified,

responding, by the third party STS, to the merchant and the consumer with the results of
the payment transaction,

generating, by the merchant device, a service the consumer token and sending to the
consumer mobile device the consumer token representing the payment for the good and/or the
service,

sending, by the consumer mobile device, an acknowledgement to the merchant device
containing an encrypted version of the consumer token received by the consumer mobile device,

requesting, by the merchant device, a merchant token certificate from the third party STS
using the encrypted consumer token,

generating, by the third party STS, a the merchant token certificate and transmitting a
copy to the merchant token certificate to the merchant device, and

presenting, by the consumer, the consumer token to the merchant upon consumption of
the service and/or receipt of the good.

22. (CURRENTLY AMENDED) The method as in claim 21, wherein the consumer combines the request (preauthorization) and consumer request-transaction preauthorization and the consumer payment authorization comprising by:

providing, by the consumer, personal identification information to the consumer device

~~and sending, by the consumer mobile device, a consumer payment request-authorization of the payment to the STS including with the consumer account selection to the third party STS, based upon the purchase order and the consumer PIE~~

~~providing, by the merchant, personal identification information to the consumer device and issuing a request-authorization of the sale to the STS including account selection,~~

~~causing, by the STS, the payment from the consumer account to the merchant account if the parties and details of the payment transaction are verified,~~

~~responding, by the STS, to the merchant and the consumer with the results of the payment transaction,~~

~~generating, by the merchant, a service token and sending to the consumer representing the payment for service,~~

~~sending, by the consumer, an acknowledgement to the merchant containing an encrypted version of the token,~~

~~requesting, by the merchant, a token certificate from the STS using the encrypted consumer token,~~

~~generating, by the STS, a token certificate and transmitting a copy to the merchant, and presenting, by the consumer, the token to the merchant upon consumption of the service.~~

23. (CURRENTLY AMENDED) The method as in claim 21, wherein the consumer explicitly requests the consumer token and combines the consumer payment authorization and the consumer token creation comprising generating by:

~~providing, by the consumer, personal identification information to the consumer device and creating a request transaction (preauthorization) to the STS,~~

~~providing, by the merchant, personal identification information to the consumer device and creating a request transaction to the STS,~~

~~responding, by the STS, to the preauthorization request transactions if the identities and details of the request transaction are verified, and including a listing of accounts to the consumer,~~
sending, by the consumer mobile device, a consumer payment request-authorization of the payment with the consumer account selection to the third party STS, based upon the purchase order and the consumer PIE,

sending, by the consumer mobile device, a consumer request-token request for the consumer token to the merchant device,

generating, by the merchant, ~~at the consumer~~ token and sending to the consumer mobile device the consumer token representing ~~the an~~ unvalidated payment for the good and/or the service;

sending, by the consumer mobile device, a consumer request-authorization-with-token request to the third party STS containing an encrypted version of the consumer token,

authorizing, by the merchant device, the sale/purchase by sending a merchant request-authorization-with-token to the third party STS including the merchant account selection,

causing, by the third party STS, the payment from the consumer account to the merchant account, ~~if the parties and details of the~~ consumer request payment transaction authorization and the merchant purchase authorization are verified,

generating, by the third party STS, ~~at the merchant~~ token certificate and transmitting a ~~copy to the~~ merchant token certification to the merchant device, and

presenting, by the consumer, the consumer token to the merchant upon consumption of the good and/or the service.

24. (CURRENTLY AMENDED) The method as in claim 21, wherein the consumer ~~uses the explicit~~ explicitly requests the consumer token request, and combines the consumer request-transaction preauthorization, the consumer payment authorization and the consumer token creation comprising generating by:

creating and sending, by the consumer mobile device, a consumer request-token to the merchant for the consumer token,

generating, by the merchant device, ~~at the consumer~~ token and sending the consumer token by the merchant device to the consumer mobile device,

~~providing, by the consumer, personal identification information to the consumer device~~ and generating, by the consumer mobile device, a consumer payment request-authorization-with-token with the consumer account selection and containing ~~the an~~ encrypted version of the consumer token received from the merchant device to the third party STS, based upon the purchase order and the consumer PIE,

~~providing, by the merchant, personal identification information to the merchant device~~ and generating, by the merchant device, a merchant request-authorization-with-token with the merchant account selection to the third party STS, based upon the purchase order and the consumer PIE,

causing, by the third party STS, the payment from the consumer account to the merchant

~~account, if the parties and details of the payment transaction~~consumer payment request-
authorization-with-token and the merchant request-authorization-with-token are verified,

creating, by the third party STS, ~~at the merchant~~ token certificate for representing the
payment for the ~~service, good and/or the service,~~

~~responding, by the STS, to the consumer with a message containing the results of the~~
~~payment transaction, and~~

responding, by the third party STS, to the merchant device with ~~a message containing~~
the results of the payment transaction and the merchant token certificate,

~~the consumer presenting the token to the merchant upon consumption of the service.~~

25. The method as in claim 21 wherein the consumer combines the consumer request-
transaction preauthorization, the consumer payment authorization and the consumer token
~~creation comprising~~generating by:

~~providing, by the consumer, personal identification information to their device and~~
~~generating, by the consumer mobile device, a~~ consumer payment request-authorization-token
with the consumer account selection to the STS, based upon the purchase order and the
consumer PIE,

~~providing, by the merchant, personal identification information to their device and~~
~~generating, by the merchant device, a~~ merchant request-authorization-token with the merchant
account selection to the third party STS, based upon the purchase order and the merchant PIE,

causing, by the third party STS, the payment from the consumer account to the merchant
account, ~~if the parties and details of the~~ consumer payment request-authorization-token and the
merchant request-authorization-token ~~payment transaction are verified,~~

creating, by the third party STS, ~~a service~~the consumer token and corresponding
merchant token certificate for representing the payment for the good and/or the service,

responding, by the third party STS, to the merchant device with ~~a message including the~~
results of the payment transaction and the merchant token certificate, and

responding, by the third party STS, to the consumer mobile device with ~~a message~~
~~including the results of the payment transaction and the~~ consumer token,

~~the consumer presenting the token to the merchant upon consumption of the service.~~

26. (CURRENTLY AMENDED) The method as in claim 21, ~~wherein the consumer~~
~~presenting the token and being validated by the merchant and further~~ comprising:

encrypting, by the consumer mobile device, ~~a service~~the consumer token, creating a consumer token certificate, and submitting the consumer token certificate to the merchant, determining, by the merchant device, if a valid copy of the consumer token certificate has been previously stored and not used based upon the merchant token certificate, and if the consumer token certificate is valid, providing the good and/or then the service is provided and deleting the merchant token certificate ~~deleted from merchant storage~~.

27. (CURRENTLY AMENDED) The method as in claim 21, ~~wherein the consumer presenting the token and being validated by the merchant and the STS further~~ comprising:
encrypting, by the consumer device, ~~a service~~the consumer token, creating a consumer token certificate, and submitting the consumer token certificate to the third party STS, determining, by the third party STS, whether a valid copy of consumer token certificate has been previously stored and not used, and if the consumer token certification is valid, then marking the consumer token certificate as used and providing a response to the merchant device,
providing, by the merchant, the good and/or the service to the consumer

28. (CURRENTLY AMENDED) The method as in any one of claims 9, 19, 14, 15 and 21, wherein the consumer acquiring the purchase order includes an implicit verification of the merchant identity by the third party STS ~~and comprising by~~:
~~transmitting, by the consumer device, a request for a purchase order for the items to be purchased to the merchant device,~~
~~preparing, by the merchant device, a purchase order with relevant information such as pricing,~~
transmitting, by the merchant device, the prepared purchase order (PO) to the third party STS,
verifying, by the third party STS, the merchant identity and creating ~~an~~ a third party STS version of the PO ~~from~~based upon the merchant PO (~~STS-PO~~)as a STS-PO, and
transmitting, by the third party STS, the STS-PO to the merchant device, and
~~the merchant transmits~~transmitting, by the merchant device, the STS-PO to the consumer mobile device, ~~so that upon receipt of the STS-PO the consumer has~~ as a positive registered merchant verification that the merchant is a registered UPTF merchant.

29. (CURRENTLY AMENDED) The method as in any one of claims 14, ~~45~~19 and 21, wherein the ~~verifying the merchant comprising~~verification comprises:

obtaining, by the consumer mobile device, the merchant legal name and address from a merchant device advertisement, or a directory service via the wireless network,

issuing, by the ~~client~~consumer mobile device, a merchant verification transaction including the merchant information and merchant device identifier ~~and sending the merchant verification transaction to the merchant device~~,

forwarding, by the merchant device, to the third party STS the merchant information and the merchant device identity,

verifying, by the third party STS, the merchant information and the merchant device ~~identity with its records~~,

returning, by the third party STS, a merchant verification response message to the merchant device for forwarding to the consumer mobile device,

~~receiving, by the consumer, the message indicating whether the merchant is valid.~~

30. (CURRENTLY AMENDED) The method as in any one of claims 14, ~~15 and 21~~ wherein the ~~consumer acquiring the purchase order comprising~~1, 2 and 3, further comprising:

sending, by the consumer, an explicit generate-purchase-order to the merchant,

creating, by the merchant, a purchase order corresponding to the ~~items selected by the consumer~~purchasing agreement and sending the purchase order to the consumer,

wherein the first consumer view and the second merchant view are generated based upon the purchase order.

31. (CURRENTLY AMENDED) The method as in any one of claims 21, 22, 23, 24, 25, 26, and 27 ~~wherein of the presenting the token to the merchant further~~ comprising converting, by the consumer mobile device, the consumer token to a barcode and displaying the consumer token represented as athe barcode on itsa display of the consumer mobile device, and

scanning, by the merchant device, the barcode, converting the barcode to athe consumer token and ~~then checking~~validating the consumer token.